

REMARKS

This is in response to the non-final Official Action currently outstanding in the above identified application.

Claims 58-62 were pending in the above-identified application at the time of the issuance of the currently outstanding Official Action. Claims 1-57 were canceled, without prejudice, previously during this prosecution. By the foregoing Amendment, Applicants have amended Claims 58-62. No Claims have been canceled, added or withdrawn. Further, no change in the inventorship of this application arises by virtue of the foregoing Amendment. Accordingly, upon the entry of the foregoing Amendment, Claims 58-62 as hereinabove amended will constitute the claims under active prosecution in the above-identified application.

The claims of this application as they will stand upon the entry of the foregoing Amendment are reproduced above including appropriate status identifiers and indications of the changes being made as required by the Rules.

More specifically, in the currently outstanding non-final Official Action, the Examiner has:

1. Acknowledged Applicants' claim for foreign priority under 35 USC §119 (a)-(d) or (f), and confirmed the receipt by the United States Patent and Trademark Office of the required copies of the priority documents.
2. Acknowledged and confirmed his acceptance of the formal drawings filed with this application on 10 April 2006.

3. Objected to the Title of the Invention as not being sufficiently descriptive of the invention to which the claims are directed and required Applicants to provide a new Title of the Invention. **In response to this requirement, Applicants have hereinabove deleted the present Title of the Invention in its entirety and substituted the following new Title of the Invention therefore. The following New Title of the Invention is believed to remove the basis of the Examiner's objection to the Title of the Invention stated in the currently outstanding Official Action.**

-- CONTENT REPRODUCING APPARATUS, METHOD FOR
CONTROLLING CONTENT REPRODUCING
APPARATUS AND NON-TRANSITORY COMPUTER
READABLE MEDIUM STORING PROGRAM FOR
CAUSING COMPUTER TO IMPLEMENT METHOD --

4. Rejected Claims 59 and 61 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention. Specifically, the Examiner points out that Claim 59 has been inadvertently left dependent upon Claim 1 in Applicants' last amendment. **Claim 59 has now been amended so as to depend from Claim 58, rather than from canceled Claim 1.** As to Claim 61, the Examiner objects the wording "for storing" as leaving it unclear whether or not the information is actually stored on the medium. The Examiner also objects to the wording "are able to be supplied to a content producing apparatus as set forth in Claim 58" as not being clear as to whether the listed information is actually supplied or not. **In response, Applicants now have deleted the word "for" that was objected to by the Examiner, deleted the words "able to be" objected to by the Examiner, and changed the word "so" to read "such".** Applicants respectfully submit that these amendments overcome the outstanding rejections under 35 USC 112.

5. Rejected Claim 61 under 35 USC 102(b) as being anticipated by the “notoriously well-known non-transitory content recording medium” in that the non-transitory content recording medium” is well known, and **the remainder of the claim is simply a recitation of intended use that is entitled to no patentable weight.** Applicants respectfully submit that the foregoing proposed amendment of Claim 61 overcomes this ground for rejection because it specifically requires that the various stored items are supplied to the apparatus of Claim 58 as needed during the operation thereof.

6. Rejected Claims 58 - 61 under 35 USC 102(e) as being anticipated by Jung et al (US Published Patent Application No. 2005/0152681).

Further comment regarding items 1-5 above is not deemed to be required in these Remarks.

As to item 6, Applicants note that the Examiner has asserted that the Jung et al reference is entitled to the priority date of US Provisional Patent Application 60/508315, namely 6 October 2003.

Applicants respectfully submit, however, that the Jung reference is entitled to the filing date of its parent US provisional application **only to the extent that the parent provisional application provides antecedent support sufficient within the meaning of 35 USC 112 for the invention disclosed and claimed in the cited publication that the Examiner alleges to anticipate the present invention.**

Applicants respectfully submit that upon further review of the Jung provisional application the Examiner will agree with Applicants that that document clearly is not the same as the Jung et al reference cited by the Examiner.

For example, the Jung parent provisional application document does not contain Table I that appears in the published patent application cited and relied upon by the Examiner. Also, Figures 1, 4 and 5 of the Jung parent provisional application are different from the correspondingly numbered Figures of the cited publication, and Figure 6 of the cited publication does not appear in the Jung parent provisional application.

The Examiner also has asserted that Applicant cannot overcome the priority of the Jung et al reference mentioned above both because (1) verified English language copies of the priority documents have not been filed and (2) not all of the priority documents antedate the Jung et al priority date (i.e., 12 August 2004) such that it is unclear whether or not the priority documents that do antedate the Jung priority date contain the requisite support for that which is claimed.

Applicants agree that only four (4) of the seven (7) claimed foreign priority applications antedate the US filing date of the parent Jung et al publication cited by the Examiner. However, Applicants respectfully call the Examiner's attention to Japanese patent application JP 2003-352,932 filed on October 10, 2003 upon which they have based a portion of their claim for foreign priority and for which a verified English language translation is being submitted herewith in perfection of that priority claim.

In the latter regard, Applicants respectfully assert in the present situation that the Examiner has not demonstrated sufficient support for the Jung publication currently cited and relied upon is present in its parent provisional application that antedates all of Applicants' priority documents in order to justify the assertion that Applicants cannot overcome the cited Jung reference. Indeed, Applicants respectfully submit that the Jung provisional application does not disclose managing the synchronization timing information and the program as separate files as now specifically claimed in the amended claims of this application.

On the other hand, however, Applicants respectfully submit that the above-identified JP 2003-352,932 upon which Applicants herein assert a perfected right of priority is clearly sufficient to support the present amended claims of this application (as the Examiner now can verify for himself from the enclosed verified English language translation of JP 2003-352,932, see particularly, for example, Page 40, first full paragraph).

In the foregoing regards, therefore, Applicants respectfully submit that the management of the synchronization timing information and the program as different files (see, for example, the present specification as originally filed at Page 37, lines 12-16 and Fig. 6) is not disclosed in the basic (provisional) application of Jung, but is disclosed in the basic priority application of the present application (i.e., JP patent application 2003-352932 filed on October 10, 2003).

In the latter regard, Applicants also respectfully note that the basic (provisional) application of Jung discloses that event occurrence information is included in the JAVA application, i.e., the synchronization timing information and the program (JAVA application) are integrally combined with each other (see Page 7, lines 8 to 10). This is respectfully submitted to be an indication that according to the basic application of Jung only the program is acquired.

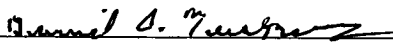
Furthermore, Applicants respectfully submit that managing the synchronization timing information and the program information as different files eliminates the need to rewrite the program even if video data is edited after the program is prepared. This is an advantage of the present invention that is not disclosed by the Jung reference (see present specification at Page 37, lines 12-16) or by its parent provisional application.

Accordingly, in view of the foregoing Amendments and Remarks, Applicants respectfully submit that all of the Examiner's currently outstanding objections and rejections now have been overcome. Hence, entry of the foregoing Amendments, reconsideration and allowance of the above-presented claims in response to this submission are respectfully requested.

Finally, Applicants believe that additional fees beyond those submitted herewith are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

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SIGNATURE OF PRACTITIONER

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